

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

STEVEN DE COSTA, in his) CIVIL NO. 03-00598 DAE/LEK
representative capacity as)
Chairperson of the Board of)
Trustees of United Public Workers,)
AFSCME Local 646, AFL-CIO,)
Mutual Aid Fund Trust, Real Party)
in Interest, United Public Workers,)
Local 646, AFL-CIO,)
)
Plaintiff,)
)
vs.)
)
GARY W. RODRIGUES,)
)
Defendant.)
)

AFFIDAVIT OF ERIC A. SEITZ

STATE OF HAWAII)
)
CITY AND COUNTY OF HONOLULU) SS.

ERIC A. SEITZ, being first duly sworn on oath, deposes and says:

(1) I am the principal attorney for the Defendant Gary W. Rodrigues in the above entitled matter.

(2) At trial Dayton Nakanelua, UPW State Director testified that he currently serves as the Administrator of Mutual Aid Fund Trust (hereinafter "MAF").

(3) Mr. Nakanelua also testified that all of Defendant's acts in connection with the MAF investments in Best Rescue Systems, Inc. were taken on behalf of the MAF as UPW's State Director and Administrator for the MAF.

(4) Mr. Nakanelua also testified he is not personally liable for acts he performs as the UPW's State Director.



ERIC A. SEITZ

Subscribed and sworn to before me
this 31st day of March 2008



Julie S. Henning (Julie S. Henning)
Notary Public, State of Hawai'i
My Commission Expires: Jan 4, 2012

